

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

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THIS DOCUMENT RELATES TO  
01-CV-12257-PBS AND 01-CV-339

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)  
) MDL No. 1456  
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) CIVIL ACTION: 01-CV-12257-PBS  
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) Judge Patti B. Saris  
)

) Chief Magistrate Judge Marianne B. Bowler  
)

**MOTION OF PLAINTIFFS FOR LEAVE TO FILE REPLY BRIEF**

Pursuant to Local Rule 7.1(B)(3), plaintiffs hereby request leave to file a reply to Defendants' Memorandum in Opposition to Plaintiffs' Objection to Order Denying Motion to Compel Defendants' Correspondence with Putative Class Members. In support of this motion, plaintiffs state as follows:

1. On November 10, 2004, plaintiffs filed an Objection to Order Denying Motion to Compel Defendants' Correspondence with Putative Class Members. Defendants filed a memorandum in opposition to this objection on November 24, 2004.
2. Plaintiffs now seek leave to file a three-page Reply Brief in support of its Objection to Order Denying Motion to Compel Defendants' Correspondence with Putative Class Members.
3. Plaintiffs believe that a brief reply will aid the Court in considering the issues raised by Defendants' Opposition to Plaintiffs' Emergency Motion.

Wherefore, plaintiffs respectfully request that the Court grant it leave to file the attached reply memorandum (Exhibit A).

DATED: November 30, 2004

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **MOTION OF PLAINTIFFS FOR LEAVE TO FILE REPLY BRIEF** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on November 30, 2004 via Verilaw to Defendants.

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